FORM PTO-1390 (REV. 2-2005)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 11499-007-999

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371
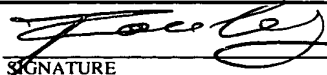
U.S. APPLICATION NO. (if known, see 37CFR 1.5)
To be assigned 10/541251

INTERNATIONAL APPLICATION NO. PCT/KR2003/02719	INTERNATIONAL FILING DATE December 12, 2003	PRIORITY DATE CLAIMED December 30, 2002

TITLE OF INVENTION
METHOD AND SYSTEM FOR SWITCHING OVER TO 1X SYSTEM UPON 1X EV-DO SYSTEM FAILURE

APPLICANT(S) FOR DO/EO/US
Lee et al.

Applicant herewith submits to the United States Designated/ Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. ☐ The U.S. has been elected (Article 31).

5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).

    a. ☒ is attached hereto (required only if not communicated by the International Bureau).
    b. ☒ has been communicated by the International Bureau.
    c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)

6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

    a. ☒ is attached hereto.
    b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).

7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

    a. ☐ are attached hereto (required only if not communicated by the International Bureau).
    b. ☐ have been communicated by the International Bureau.
    c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    d. ☒ have not been made and will not be made.

8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. ☒ A preliminary amendment.

14. ☐ An Application Data Sheet under 37 CFR 1.76.

15. ☐ A substitute specification.

16. ☐ A power of attorney and/or change of address letter.

17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter 2 and 37 CFR 1.821- 1.825.

18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).

19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).

20. ☐ Other items or information:

US APPLICATION NO. (If known, see 37 CFR 1.5) To be assigned 10/541251	INTERNATIONAL APPLICATION NO. PCT/KR2003/02719	ATTORNEY'S DOCKET NUMBER 11499-007-999

21. The following fees are submitted:

BASIC NATIONAL FEE:

☒ a) Basic national fee $300.00

☒ b) Examination fee ....
Was the International Preliminary Examination Report prepared by the USPTO **and** do all filed claims in this U.S. application satisfy provisions of PCT Article 33(1)-(4) (i.e., novelty, inventive step and industrial capability)? .....

☐ i) Yes ($100.00) ....

☒ ii) No ($200.00) $200.00

☒ c) Search fee ....
Was the USPTO the International Searching Authority? ....

☐ i) Yes ($100.00) ....

ii) If no:

☐ (a) An International Search Report will be provided to the USPTO on or before payment of the search fee. ($400.00) ....

☒ (b) No International Search Report will be provided to the USPTO. ($500.00) $500.00

TOTAL OF CALCULATIONS =			$	$1000.00

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing of computer programs listing filed in electronic medium). The fee is **$250** for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number).	RATE		
5 -100	0 /50		x 250.00		$0.00

Surcharge of $130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).			$	$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE X		
Total Claims	25 - 20	5	x $50.00		$250.00
Independent Claims	3 - 3	0	x $200.00	=	$0.00
☐ MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ 360.00			$0.00

TOTAL OF ABOVE CALCULATIONS=	= $		$1250.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 50%	- $	$0.00

SUBTOTAL =	$		$1250.00

Surcharge of **$130.00** for furnishing the English Translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		$0.00

TOTAL NATIONAL FEE	= $		$1250.00

Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 0 x **$40.00** per property	$	$0.00

TOTAL FEES ENCLOSED	= $		$1250.00
	Amount to be refunded:		
	charged:		

a. ☐ A check in the amount of $ to cover the above fees is enclosed.

b. ☒ This is an estimate of the fees due. Please charge Deposit Account No. 50-3013 to cover the required fees. A copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Note: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.

22. ☐ Other instructions

23. ☒ All correspondence for this application should be mailed to   JONES DAY   20583

24. ☐ All telephone inquiries should be made to   .

For Brian M. Rothery By Michael Fainberg		35,340 50,441	June 30, 2005
NAME	SIGNATURE	REG. NO.	DATE